

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

BRENT RAY BREWER,	§	
Petitioner,	§	
	§	
v.	§	No. 2:15-cv-00050-Z-BR
	§	*CAPITAL CASE*
LORIE DAVIS,	§	
Director, Texas Department of	§	
Criminal Justice,	§	
Correctional Institutions Division,	§	
Respondent.	§	

**RESPONDENT DAVIS'S UNOPPOSED MOTION  
FOR EXTENSION OF TIME**

This is a federal habeas corpus proceeding brought by Petitioner Brent Brewer, a death-sentenced Texas inmate, pursuant to 28 U.S.C. §§ 2241 & 2254. Brewer filed his second amended petition on March 30, 2020, which the Director received electronically on that date. Docket Entry (DE) 103. By order of this Court, the Director's answer is due ninety days after receipt of Brewer's petition. DE 93, ¶ 3. Thus, the Director's answer is due by June 29, 2020.<sup>1</sup> For the following reasons, the Director respectfully requests an extension of twenty-one (21) days, or until July 20, 2020, to file her answer.

The undersigned attorney has completed a rough draft of an answer to Brewer's amended petition. Currently, it is being reviewed by the undersigned's supervising attorney. However, the answer is longer and took more time to draft than the undersigned originally anticipated. Thus, the review and editing process

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<sup>1</sup> The 90th day, June 28, 2020, falls on a Sunday. See Fed. R. Civ. Proc. 26.

will also take more time than originally anticipated. Further, the answer requires tables, which are being completed by the undersigned's secretary but are also somewhat lengthy. Moreover, starting on Wednesday, June 24, 2020, the undersigned will be out of town for the remainder of this week.

For these reasons, the undersigned requests additional time to submit a thorough responsive pleading. The undersigned believes that he will file the answer well before the new deadline, but in the event that any unforeseen matters arise, three additional weeks are respectfully requested. This motion is not requested for any delay. Counsel for Brewer, Peter Walker, has advised the undersigned that neither he nor co-counsel are opposed to the requested extension.

### **CONCLUSION**

The Director moves this Court to extend the time for filing a response to Brewer's amended habeas petition up to and including July 20, 2020.

Respectfully submitted,

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Attorney General of Texas

JEFFREY C. MATEER  
First Assistant Attorney General

MARK PENLEY  
Deputy Attorney General  
for Criminal Justice

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Chief, Criminal Appeals Division

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/s/ Erich Dryden  
\*ERICH DRYDEN  
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ATTORNEYS FOR RESPONDENT

### **CERTIFICATE OF CONFERENCE**

I hereby certify that counsel for Petitioner, Peter Walker, has been contacted, and Mr. Walker stated that neither he nor co-counsel are opposed to the requested extension.

/s/ Erich Dryden  
ERICH DRYDEN  
Assistant Attorney General

### **CERTIFICATE OF SERVICE**

I do hereby certify that a copy of the above and foregoing Unopposed Motion for Extension of Time has been served electronically to Philip Wischkaemper, Shawn Nolan, and Peter Walker on this the 22nd day of June, 2020.

/s/ Erich Dryden  
ERICH DRYDEN  
Assistant Attorney General